

# Exhibit “CC” to Amended Verified Petition

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December 6, 1991

Laura Zeisel, Esq.  
P. O. Box 9  
New Paltz, New York 12561

Re: Town of Montgomery - Mehlon Mine

Dear Laura:

This will follow our conversation wherein you advised that you now represent the applicant regarding the above.

I have reviewed my file (not the Planning Board's file) and enclose for you copies of:

1. Planning Board letter to R. DiNardo, Esq. dated June 14, 1990;
2. Planning Board letter to R. DiNardo, Esq. dated July 27, 1989 enclosing July 18, 1989 letter from NYCEPA;
3. Town Planner letter to R. DiNardo, Esq. dated July 26, 1989;
4. Planning Board letter to R. DiNardo, Esq. dated July 17, 1989;
5. December 5, 1988 letter from the Town of Shawangunk Planning Board.

We have a Long EAF on file dated March 23, 1989 which appears to have superceded a different Long EAF which is without a date. Part 2 of the Long EAF was filled out by someone other than the Lead Agency.

You are correct that the Town of Montgomery Planning Board is Lead Agency. You are incorrect in stating that a neg dec was issued. As you can see from the correspondence, SEQRA remains open as the Planning Board has advised the applicant of the areas it needs further data on and the applicant to date has not responded to my knowledge.

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Should you have any questions, please call. .

Sincerely yours,

RICHARD W. HOYT  
Attorney for Town of Montgomery

RWH:lv

Encls.

cc: Town of Montgomery Planning Board  
Garling Associates